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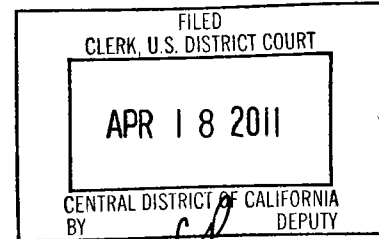
E-FILED: 04/14/11

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 Susan M. Spraul, Clerk
 U.S. BKCY APP. PANEL
 OF THE NINTH CIRCUIT

APR 14 2011

FILED 04/14/11

DOCKETED 4/14/11 e-filer
 DATE INITIAL



CV11 03266 CJC

UNITED STATES BANKRUPTCY APPELLATE PANEL
 OF THE NINTH CIRCUIT

In re

FOUR STAR FINANCIAL SERVICES, INC.,

Debtor

RICHARD A. MARSHACK, Chapter 7
 Trustee,

Appellant

v.

FOUR STAR FINANCIAL SERVICES, LLC
 [SIC]; BRIAN HAMMOND

Appellee.

Case No. 2:03-bk-37579-TD

BAP No. CC-11-1163

Chapter 7

APPELLEE'S STATEMENT OF
 ELECTION TO HAVE APPEAL HEARD
 BY THE UNITED STATES DISTRICT
 COURT

[FRBP 8001(e); 28 U.S.C. § 158(c)(1)]

1 APPELLEE, Brian Hammond as Class Representative with respect to Allowed Claim
2 Number 9, **pursuant to Federal Rule of Bankruptcy Procedure 8001(e) and 28 U.S.C. §**
3 **158(c)(1), hereby elects** to have the appeal by Richard A. Marshack, in his capacity as Chapter 7
4 Trustee for the bankruptcy estate of Four Star Financial Services, LLC of the "Order Denying
5 Trustee's Motion for Order Disallowing Priority Unsecured Claim Filed by Brian Hammond
6 Individually and on Behalf of Similarly Situated Persons [Claim No. 9]," filed as Docket No. 884,
7 heard by the United States District Court for the Central District of California.
8

9 Dated: April 14, 2011

DOUGLAS H. NAPIER

10
11
12 By: /s/ Douglas H. Napier
Douglas H. Napier,

13 Counsel to Brian Hammond, Class
14 Representative, Appellee

15 Dated: April 14, 2011

THE LAW OFFICES OF DAVID W. MEADOWS

16
17 By: /s/ David W. Meadows
18 David W. Meadows

19 Local and Bankruptcy Counsel to Brian
20 Hammond, Class Representative, Appellee
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Richard A. Marshack, Chapter 7 Trustee, Appellant, v. Brian Hammond, Class Representative, Appellee	CHAPTER 7 BAP No. CC-11-1163 CASE NUMBER 2:03-37579-TD
Debtor(s).	

NOTE: When using this form to indicate service of a proposed order, **DO NOT** list any person or entity in Category I. Proposed orders do not generate an NEF because only orders that have been entered are placed on the CM/ECF docket.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 1801 Century Park East, Suite 1235, Los Angeles, CA 90067

A true and correct copy of the foregoing document described APPELLEE'S STATEMENT OF ELECTION TO HAVE APPEAL HEARD BY THE UNITED STATES DISTRICT COURT will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

☐ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On _____ I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 4/14/2011, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

D. Edward Hays, counsel to Chapter 7 Trustee, Richard A. Marshack
ehays@marshackhays.com

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

4/14/2011

Date

David W. Meadows

Type Name

/s/ David W. Meadows

Signature

BCC Email Recipients:

Barbato, Vincent
Wood, Mele

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U. S. Bankruptcy Appellate Panel for the Ninth Circuit

Notice of Docket Activity

The following transaction was entered on 04/14/2011 at 9:31:07 AM PDT and filed on 04/14/2011

Case Name: Richard Marshack v. Four Star Financial Services,, et al

Case Number: 11-1163

Document(s): Document(s)

Docket Text:

Filed (ECF) Attorney Mr. David Meadows for Appellee Brian Hammond's Objection to BAP jurisdiction; served on 04/14/2011 US mail - Attorney for Appellant: Hays. (DM)

The following document(s) are associated with this transaction:

Document Description: Main Document

Original Filename: Hammond Election 04 14 11 with POS.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1106763461 [Date=04/14/2011] [FileNumber=416637-0]

[41e8de41b8e7fdf3269b3cf2b136fc1665416756f7a897a4d673d9e77640cba0a9c81f18c59369a61d368a85d256f4a6c38927b292a04e8764980a701413b288]]

Notice will be electronically mailed to:

Mr. Meadows, David, Attorney

Case participants listed below will not receive this electronic notice:

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Los Angeles, CA 90017

The following information is for the use of court personnel:

DOCKET ENTRY ID: 416637

RELIEF(S) DOCKETED:

DOCKET PART(S) ADDED: 368314